



1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

7925 JONES BRANCH DRIVE
McLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wileyrein.com

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Gregory L. Masters
202.719.7370
gmasters@wileyrein.com

**ELECTRONICALLY FILED
(VIA ECFS)**

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington D.C. 20554

**Re: MB Docket No. 03-15
FCC 07-90
Request for Extension of Use or Lose Waiver and Interference
Protection for Authorized DTV Facility
WKBN-DT, Youngstown, OH (Facility ID No. 73153)**

Dear Ms. Dortch:

On behalf of NVT Youngstown Licensee, LLC ("NVT"), the permittee of WKBN-DT, Youngstown, Ohio (Facility ID No. 73153), we hereby request an extension of the use or lose waiver and continued interference protection for the authorized digital television ("DTV") facility for WKBN-DT.

WKBN-DT was granted a six-month waiver of the use or lose deadline in *DTV Build-Out Requests for Waiver of July 1, 2005 and July 1, 2006 "Use or Lose" Deadlines*, FCC 07-90 (released May 18, 2007) ("*DTV Waiver Order*"). This extension was requested by the previous permittee of WKBN-DT, based upon a financial hardship showing. NVT, the current permittee, acquired WKBN in March 2007.

At this point, WKBN-DT's facility has been constructed and is operating at very nearly its full authorized parameters. WKBN-DT, however, faces one more impediment to the construction of its final DTV facility which warrants a further waiver. The construction permit for WKBN-DT's final DTV facility calls for the digital antenna to be top-mounted on the current tower, in the position where the analog antenna is currently located. WKBN-DT cannot build the facilities authorized in its digital construction permit without compromising the service of its analog facility. Therefore, WKBN-DT has built and is operating its digital television ("DTV") facility from a side-mount location, as authorized by its Special



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Temporary Authority (FCC File No. BDSTA-20060419ACD, as extended by FCC File No. BEDSTA-20060630ABX).

The Commission previously has acknowledged that those stations which must place their DTV antenna on top of the tower, where the analog antenna is presently located, face a unique technical challenge which warrants a waiver of the use or lose deadline and interference protection of the station's coverage area until the end of the transition. *See DTV Waiver Order*, para. 79.

WKBN-DT's situation warrants this same consideration. It is unable to complete buildout of its final DTV facility without compromising its analog facility's service. Once WKBN-TV ceases analog broadcasts, it will act quickly to remove its analog antenna from the top of the tower and replace it with its digital antenna, thereby completing construction of its final DTV facility.

Therefore, based upon the information provided herein, NVT respectfully requests an extension of the use or lose waiver and continued interference protection for WKBN-DT's authorized DTV facility until the end of the digital transition.

Respectfully submitted,


Gregory L. Masters
Joan Stewart